

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. Timothy Gillespie

Docket No. 7:13-CR-24-1BR

Petition for Action on Probation

COMES NOW Pamela O. Thornton, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Timothy Gillespie, who, upon an earlier plea of guilty to Theft of Stolen Mail, in violation of 18 U.S.C. § 1708, was sentenced by the Honorable W. Earl Britt, Senior U.S. District Judge, on September 30, 2013, to a 36 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
2. The defendant shall participate in a program of mental health treatment, as directed by the probation office.
3. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
4. The defendant shall participate in a vocational training program as directed by the probation office.
5. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On March 12, 2014, during a routine home inspection, the probationer answered the door with a large 13 inch survival knife in his hand. He stated he was cutting up onions in the kitchen. The probation officer explained that the knife was considered a dangerous weapon and as a condition of his probation he could not possess any dangerous weapons. The probationer reluctantly turned over the knife to the probation officer.

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In a subsequent meeting at the probation office, the probation officer reviewed the probationer's conditions of supervision with him and the probationer stated to the officer that he understood. He further gave a written statement that he would not possess any dangerous weapons in the future.

PRAYING THAT THE COURT WILL ORDER that the 13 inch survival knife confiscated from the probationer on March 12, 2014, be destroyed.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Pamela O. Thornton
Pamela O. Thornton
Senior U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-815-4857
Executed On: April 15, 2014

ORDER OF COURT

Considered and ordered this 16 day of April, 2014, and ordered filed and made a part of the records in the above case.



Senior U.S. District Judge